IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL NO. 271 OF 2005
IN
WRIT PETITION NO. 2443 OF 2005

HARISCHANDRA RAMCHANDRA DAVRE ANR. APPELLANTS

Versus

SMT. SHOBBHA SUDESH HEGDE & ORS. .. RESPONDENTS

Mr. R.D. Soni with J.K. Hegde for appellants

Mr. P.S. Dani for respondent 1

CORAM:-SMT. RANJANA DESAI &

D.B. BHOSALE, JJ.

DATED:- 23/1/06

P.C.

. By the impugned order dated 9/12/05 the learned Single Judge has issued Rule, and passed an interim order. Against such an interim order a Letters Patent Appeal is not maintainable. In this connection reference may be made to **Mithailal Dalsangar Singh & Ors. v. Annabai Devram Kini & Ors., AIR 2003 SC 4244**.

3. Mr. Dani, the learned counsel for respondent 1 states that he will abide by the statement made by him on 21/12/05 which is recorded by the Division Bench in its order of the same date. The appeal is disposed of as not maintainable.

4. In view of the above the civil application does not survice and is disposed of as such.

(SMT. RANJANA DESAI,J.)

(D. B. BHOSALE, J.)